IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1579 OF 2005

Nasreen Rehmatullah .. .. Petitioner
v/s.
Secretary School Education Dept.
& ors. .. .. Respondents

Mr.Nazir Shaikh for petitioner.
Mr.P.G.Sawant, AGP for res.Nos.1 to 3.
Mr.A.G.Kothari for res.Nos.4 & 5.

CORAM : H.L. GOKHALE &
S.R. DONGAONKAR, JJ.

DATED : 28th March 2006

P.C. :

1. Heard the learned Counsel for the parties

2. An affidavit in reply has been filed by Mr.C.S. Kamble, Deputy Education Inspector and in that reply he has stated that the petitioner becomes eligible for regularisation as an assistant teacher after completion of a period of 36 months as a Shikshan Sevak. Right now, however, there is no vacancy for her in respondent No.4-school since one division thereof has become surplus and the teachers are, in fact, required to be reduced. It is however stated that now the letter for absorption and regularisation has been received from respondent No.4-Management of the school. Therefore, the petitioner will be placed

in the list of such teachers who have become surplus and will be shifted, absorbed and regularised as an Assistant Teacher in another school by respondent Nos.1 to 3. Mr.Shaikh appearing for the petitioner makes a request that as far as possible the petitioner be absorbed in a school in the Northern zone. Mr.Sawant, learned AGP, states on the instructions of Mr.Kambli, Deputy Education Inspector, who is present in Court, that as far as possible efforts will be made to absorb her in Northern zone. The petitioner is present. She is agreeable to this arrangement. It is further stated that the petitioner will be absorbed in all probability when the schools reopen in June 2006. We expect respondent Nos.1 to 3 to take the necessary action well in time.

3. As far as the claim of the petitioner for intervening salaries is concerned, she may represent to the authorities concerned and they will look into the representation in accordance with the governing rules. Needless to state that if the petitioner is unhappy about their decision, it will be open to her to take further steps in accordance with law.

4. Petition stands disposed of with the above order.

(H.L. GOKHALE, J.)

(S.R. DONGAONKAR, J.)